



**MINUTES OF THE SPECIAL JOINT MEETING  
OF THE CITY COUNCIL/REDEVELOPMENT  
AGENCY OF THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, March 21, 2000, 8:00 p.m.**

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**MEETING**

The Special Joint Meeting of the City Council/Redevelopment Agency was called to order by Mayor Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Council Member Dowling.

**ROLL CALL**

Present: COUNCIL/RA MEMBERS Jimenez, Hilson,  
Ward, Dowling, Henson  
MAYOR/CHAIR Cooper  
Absent: COUNCIL/RA MEMBER Rodriquez

Mayor Cooper announced that Council Member Rodriquez had a family emergency and would not be present.

**PRESENTATION: Pride in Hayward Award**

The following Glen Eden Neighborhood-Hayward residents were honored with the Pride in Hayward Award: Thomas and Marian Jordan; Jimmy and Jenny Mar; Joan Foget; Hugh and Gloria Mayle; and James and Dolores Parr. Mayor Cooper congratulated them for maintaining their homes.

**CONSENT**

Item No. 3 was removed for further discussion.

1. Approval of Minutes of the Special Joint Meeting of the City Council/Redevelopment Agency of March 14, 2000

It was moved by Council/RA Member Henson, seconded by Council/RA Member Hilson, and carried with Council/RA Member Rodriquez absent, to approve the Minutes of the Special Joint Meeting of the City Council/Redevelopment Agency of March 14, 2000.

2. Authorization for the City Manager to Execute an Application for Used Oil Recycling Block Grant from the California Integrated Waste Management Board

Staff report submitted by Deputy Director of Public Works/Utilities  
Ameri, dated March 21, 2000, was filed.

It was moved by Council Member Henson, seconded by Council Member Hilson, and carried with Council Member Rodriquez absent, to adopt the following:

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Resolution 00-033, "Resolution Authorizing the Application for Joint Funds from the Used Oil Recycling Enhancement Act and Participation in a Cooperative Project"

3. Resolution Authorizing the Purchase of Computers for Use by Council Members

Staff report submitted by Finance Director Carter, dated March 21, 2000, was filed.

Finance Director Carter made a brief staff report, noting that Council Members were provided computers in 1996 and upgrades are necessary. Information Systems staff will assist in selecting the software and equipment to meet the City's standards.

Mayor Cooper provided opportunity for public input at 8:16 p.m.

Jason Moreno, 25200 Carlos Bee, expressed concern for this expenditure and voiced opposition to the amount mentioned.

Ron Barklow, 1210 Tiegen, felt that the \$5,000 was not needed to upgrade the computers. He indicated that he recently upgraded his own computer system for \$1,500.

Mayor Cooper closed the public input opportunity at 8:22 p.m.

City Manager Armas reported that \$5,000 is an allowance, and the individual Council Member will have different computer needs.

Council Member Henson stated that technology evolves rapidly and the amount is consistent with a majority of other agencies and cities.

It was moved by Council Member Henson, seconded by Council Member Ward, and carried with Council Member Rodriguez absent, to adopt the following:

Resolution 00-034, "Resolution Amending Resolution 99-108, as Amended, the Budget Resolution for Fiscal Year 1999-2000, Relating to a Transfer of Funds from the General Fund Undesignated Fund Balance to the General Fund for the Acquisition of Computer Equipment to be Used by the City Council Members"

## HEARINGS

4. Appeal of Planning Commission's Action Denying Zone Change 99-190-01 – Society of Saint Vincent de Paul (Applicant/Owner): Request to Change Zoning to Construct Ten Residential Cottages and Extend Grace Court (Private Street) to Melvin Court - Property is Located on Grace Court Between Grace Street and Smalley Avenue and at 22331 Mission Boulevard.

Staff report submitted by Senior Planner McClellan dated March 21, 2000, was filed.



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Senior Planner McClellan made the staff report, noting that this is a good project and will improve the appearance for the downtown.

Council Member Jimenez cited Mrs. Perry's letter submitted on March 20, 2000. He asked how staff is addressing her concerns, in particular, the traffic hazards on Pearce Streets.

There was further Council discussion. Council Member Henson asked about the categories for this project.

Senior Planner McClellan responded that these are single family detached units and can not easily categorize the project. He added that this could be a subdivision, if Council decides, at a later date that it should be ownership housing.

Council Member Ward asked whether staff's evaluation would have been the same were the application from a traditional subdivider. He was told it may not be the same.

Mayor Cooper opened the public hearing at 8:44 p.m.

Peter Smith, 505 - 17<sup>th</sup> Street, Oakland, Attorney, representing St. Vincent de Paul Society, described the project and recent meetings with neighbors, as well as two proposed Conditions of Approval they would like to add based on these meetings. These would require the Planning Director to review the applicant's proposed plan for the management of the project including the nature and extent of the referral project for tenants, the resources provided to tenants, parking and residential restrictions; a process for identifying an on-site contact person, and other pertinent factors. Notification of the plan should be made to concerned members of the community. He proposed exploring the feasibility of a play area for children on the site and placing a traffic restrictor at the intersection of Grace Court and Grace Street. He added that they want to work with the community. He said it is important to recognize that, although the program is not fully developed, it will be before the project is occupied. The Society works on a referral basis and will identify the needs from their Parish conferences. He indicated that residents will already be in various programs. They would support efforts to make Pearce Street a one-way street. He also responded to questions from the Council. As to the proposed removal of Cottage Number 6, he indicated that the economics of this project have to work on their own. Decreasing the number of units would not be economically feasible for the Society. He added that there will be a management plan, approved or not approved by the Planning Director. The traffic restrictors will be determined by City traffic engineers. They would like to have some sort of restrictors for the benefit of the program.

Bill Lyons, 4122 Lakeshore Avenue, architect for the project, pointed out a potential public play area. It was noted by staff that side-yard fencing might diminish the open space area.

Council Member Dowling clarified that the Society intends to sign a management contract. Mr.

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Smith agreed that the real ambiguity was in the drafting of the Conditions but they would be willing to work with staff on the details.

Don Garregk, 3946 Harvard Way, Livermore, President of the District Council, he described the conferences of the Society and the screening and selection process for the tenants. Eden Housing will manage the property.

Council Member Hilson expressed concern that in the twelve years that the Society has owned this property, the maintenance has been poor. He discussed the need for continuous professional property management and suggested that staff add a condition of approval in this regard. The representatives were in agreement with this recommendation. He asked staff whether the extension of Grace Court would create a traffic problem with people using the street as a by-pass.

He was told that traffic/transportation staff have looked at the proposal and agreed that the project works in conjunction with Melvin Court.

Council Member Hilson added that it is imperative to have some kind of control on this street to make sure it is not an attractive byway. He added further concern about the safety of children and shared drive-ways.

Council Member Jimenez commented on the narrow streets and lack of parking spaces in the neighborhood. He asked what percent of the prospective clients would be driving automobiles.

He was told that the required one parking space per unit should be adequate with the availability of public transportation in the immediate area.

Jim Drake, 25795 Franklin Street, was strongly opposed to subsidized low-income housing and urged that Council not approve this project.

Celeste Perry, 26876 Pelham Place, urged that the applicant minimize the negative impacts to Pearce Street.

Barbara Sacks read a letter from her friend who lives on Grace Street. Both approve of this project and creative solutions and urged the Council to support the proposal.

Paula Frankher, 22414 Montgomery Street, spoke against the project and felt that this would be similar to Second Chance. Neighbors do not feel safe with all this type of special programs that have been settled in their neighborhood.

Francisco Abrantes, 22815 Alice Street, spoke against this project.

In response to some of the questions that surfaced, Mr. Smith explained that this is not a Section 8 housing project.



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Council Member Henson asked whether security was considered as part of the total scenario, since the families who might utilize this service could have domestic violence problems.

Mr. Smith indicated that a critical component of the society's function is to provide all forms of counseling, and all forms of assistance for domestic situations of all types, including restraining orders and the like. He agreed this is a valid point and can be included in the management program.

Mayor Cooper closed the public hearing at 9:35 p.m.

Mayor Cooper said there is tension as to whether this is program driven or land use driven. She did not see how a family could fit into a 2,100 square foot area. She did not think the subject of adequate security has not been addressed. Families generally have children, how will they cope? Where is the nearest school and where are the nearest parks and are there adequate fiber optics for computer opportunities as well as a play area. She expressed concern for fencing and gardens, and whether pets will be allowed. She indicated that there is something about the project that is so incomplete. She suggested delaying a decision to give the applicant time to come back with real plans and real answers. She indicated that she felt awkward about making a decision at this time.

City Attorney O'Toole said it would be appropriate to ask the applicant if he would consent to a continuance in order to work with staff.

Mr. Smith said they would agree. He suggested it would be more prudent to have 60-days.

City Manager Armas added that the City was being criticized for being too efficient.

Council Member Hilson agreed with previous Council comments and added that, for him, the project is just too dense. He also suggested staff look at a condition for continuous professional management, also a condition for professional landscape services and a prohibition on outside storage. If this is a program, an important feature has to do with on-site management.

Council Member Dowling agreed with most of the other comments and asked, also, for a letter from Eden Housing, or some other company, that would indicate that, if this project is approved, they would move forward with the management agreement. He added that it is important to provide open space for children. He suggested that this project could be an improvement for the neighborhood, particularly with the improvements to the thrift store. He moved that the project be held over for sixty days with continued work with staff and the community.

Council Member Henson said the motion was appropriate and he agreed with the previous comments. He added that he would like to see the applicant address security issues, as well as the concerns raised by Council Member Hilson. He also would like a better sense of this program.

Council Member Jimenez asked that staff also study the possible adverse impact on Pearce Street.

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Council Member Rodriquez absent, to **continue** this public hearing for sixty days to allow the applicant opportunity to meet with neighbors, staff and those interested in this project; and to return with a project that addresses the questions asked during the public hearing relating to security issues, fencing, providing play areas for children, the use of professional landscape services and on-site professional management services and a better designed project with less units.

## **LEGISLATIVE BUSINESS**

### **5. Review of Placement of Public Comments on City Council Agenda**

Staff report submitted by City Manager Armas, for March 21, 2000, was filed.

City Manager Armas indicated that this item was in response to the motion passed in December moving Public Comments to the end of the meeting.

There was no early Council discussion.

Mayor Cooper opened the public hearing at 9:52 p.m.

Jason Moreno, 25200 Carlos Bee Boulevard, suggested that "Public Comments" be placed both at the beginning and at the end of the meeting.

Sheila Junge, 22741 Souza Court #4, strongly urged Council members to return "Public Comments" to the beginning of the Council meeting. At the end, they are deemed less important. She referred to the problem recently with Bill Maxedon who is in a wheel chair. He had a difficult time getting transportation to the meeting, so he sent a tape of his comments with a friend.

Ron Barklow, 1210 Tiegen Drive, asked why the "Public Comments" were not placed at the beginning on March 14 as decided back in December. He also asked for the specific number of citizens who previously complained and asked that the "Public Comments" be moved to the end of the meeting.

Jim Drake, 25795 Franklin, was in favor of placing the "Public Comments" at the beginning of the meeting.

Mayor Cooper closed the public hearing at 10:00 p.m.

Council Member Ward made a motion to move the "Public Comments" period back to the beginning of the meeting as before.

Mayor Cooper suggested that there be two periods of "Public Comments," one perhaps from 9 until 9:15 and then, again, at the end.

Council Member Ward said that too often the preceding discussion would overwhelm the "Public



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Comments" section. He then withdrew his motion.

Council Member Henson agreed with the Mayor to have two-time specific "Public Comments" periods. It would be limited to one time period only, per person.

Council Member Hilson suggested placing "Public Comments," at the end of the Consent Calendar and then at the end of the meeting.

Council Member Jimenez asked why all this confusion? The "Public Comments" have been at the beginning of the agenda for years and years. It should be at the beginning of the Agenda.

Council Member Ward said he preferred the certainty of having them at the beginning. He moved to replace the "Public Comment" section to the beginning of the meeting, and continue it again, for those who had no opportunity to speak, again at the end of the meeting.

Council Member Henson asked whether there would be a definite time period extended to the "Public Comments" at end of the meeting.

Council Member Ward said he would worry about making sure that all of the people have a chance to speak.

As a substitute motion, it was moved by Council Member Dowling, seconded by Council Member Jimenez, and carried by all present, with Council Member Rodriguez absent, to reinstate the Public Comments at the beginning of the agenda.

## **PUBLIC COMMENTS**

Francisco Abrantes, 22815 Alice Street, commented on the sewer and water billing that he recently received. He said he was speaking for the senior citizens.

Jason Moreno, 25200 Carlos Bee Boulevard, displayed documents related to his army experience.

Sheila Junge, 22741 Souza Court #4, asked about the tapes retention schedule.

City Clerk Reyes explained that audio tapes for both City Council and Planning Commission are kept for two years. Video tapes are usually destroyed after one year because of the poorer quality of the video tape.

Jim Drake, 25795 Franklin, discussed the Taco Bell behind his house on the corner of Harder and Franklin. He was concerned that the top of the building was removed and the appearance has deteriorated. He described the open pipes and trash enclosures as eyesores.

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## **COUNCIL REPORTS**

Council Member Henson reported on his attendance at the National League of Cities Conference in Washington, D.C., his first as Chair of the Public Safety Committee. He met with Attorney General Reno regarding information on reentry prisoners and parolees into the community. He was asked to participate and assist in this program in collecting data related to their activities. Profiling is another project that will be part of this committee's agenda. He announced that one of the NLC committee meetings will be held in Hayward. Lastly, he reported that this year's theme is, "Undoing Racism," which will be addressed up-front.

## **ADJOURNMENT**

Mayor Cooper adjourned at 10:29 p.m.

**APPROVED:**

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Roberta Cooper  
Mayor, City of Hayward  
Chair, Redevelopment Agency

**ATTEST:**

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Angelina Reyes  
City Clerk, City of Hayward  
Secretary, Redevelopment Agency